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09/898,153	07/02/2001	Jeong Jun Ahn	2060-3-02	2616

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EXAMINER

MOORE, IAN N

ART UNIT PAPER NUMBER

2661

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/898,153

Applicant(s)

AHN, JEONG JUN

Examiner

Ian N. Moore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 is/are allowed.
- 6) ☒ Claim(s) 1-14, 17, 18 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Amended claim 15 is objected to because of the following informalities:

**Claim 15** recites, a period“.” between “data” and “wherein” in line 15. It is suggested to remove the period.

**Claim 15** recites “HPI” bus in line 16. It is suggested to describe the acronym when reciting for the first time in the claim.

**Claim 15** recites “UTOPIA” bus in line 18. It is suggested to describe the acronym when reciting for the first time in the claim.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-14 and 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Gerszberg et al, hereinafter "Gerszberg", (US Patent 6,542,500).

**With regard to claim 1**, Gerszberg discloses an integrated residence gateway 22 that is very similar to the intelligent service director 22 (column 9, lines 22-24) as illustrated by Figure

2. The IRG I ISD 22 includes a network interfaces 110 (user access processing module unit) and

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a controller 100 (central control processing module unit) (column 9, lines 57-63). The controller 100 includes a signal compressor 102A (voice processing unit) (column 18, lines 41-44), IP router 106 (time division multiplexing switch) and a central processing unit 102 (processing module unit) (column 9, lines 57-63). The network interfaces 110 include an Ethernet interface 119 (wide area network access processing unit I physical access unit) (column 9, lines 63-66). Gerszberg discloses that the processor 102 (frame conversion unit I framer/de-framer) may be configured to reconstruct IPv6 packets from DSL frames (column 18, lines 32-34). The processor 102 may also include signal processor 102 A to perform coded functions (encoder / decoder) (column 18, lines 41-44). Data is also outputted to a highspeed backbone network such as ATM (ATM cells) (column 5, lines 59-62).

**With regard to claims 2 and 3,** Gerszberg discloses system bus 111 (UTOPIA bus interface) (column 9, lines 60-63).

**With regard to claim 4,** Gerszberg discloses an integrated residence gateway 22 that is very similar to the intelligent service director 22 (column 9, lines 22-24) as illustrated by Figure 2. The IRG / ISD 22 includes a network interfaces 110 (user access processing module unit) and a controller 100 (central control processing module unit) (column 9, lines 57-63). The network interfaces 110 include an Ethernet interface 119 (wide area network access processing unit) (column 9, lines 63-66). Gerszberg discloses that the processor 102 (frame conversion unit) may be configured to reconstruct IPv6 packets from DSL frames (column 18, lines 32-34). Data is also outputted to a high-speed backbone network such as ATM (ATM cells) (column 5, lines 59-62).

**With regard to claim 5**, Gerszberg's network interfaces 110 include an Ethernet interface 119 (physical access unit) (column 9, lines 63-66).

**With regard to claim 6**, Gerszberg discloses that the processor 102 (frame conversion unit / framer/de-framer) may be configured to reconstruct IPv6 packets from DSL frames (column 18, lines 32-34). The processor 102 may also include signal processor 102 A to perform coded functions; (encoder / decoder) (column 18, lines 41-44).

**With regard to claim 7**, Gerszberg discloses system bus 111 (UTOPIA bus interface) (column 9, lines 60-63).

**With regard to claim 8**, IRG 22 includes an xDSLcable modem 114 (column 9, lines 51-53).

**With regard to claim 9**, the IRG 22 may connect with a variety of devices including analog telephones 15 (analog access) and digital telephones 18 (digital access) (column 9, lines 25-27). The IRG 22 also has an Ethernet interface (local area network), e.g., for 10 base T.

**With regard to claim 10**, the controller 100 includes a signal compressor 102A (voice processing unit) (column 18, lines 41-44), IP router 106 (time division multiplexing switch) and a central processing unit 102 (processing module unit) (column 9, lines 57-63).

**With regard to claims 11-14**, Gerszberg discloses system bus 111 (TDM bus I HPI bus I UTOPIA bus) (column 9, lines 60-63).

**With regard to claim 17**, Gerszberg's IRG 22 may connect with a variety of devices including analog telephone 15 (analog access) (column 9, lines 25-27).

**With regard to claim 18**, Gerszberg's controller 100 includes a signal compressor 102A (voice processing unit) (column 18, lines 41-44), IP router 106 (time division multiplexing switch) and a central processing unit 102 (processing module unit) (column 9, lines 57-63).

*Allowable Subject Matter*

4. Amended claim 15 is objected in accordance with paragraph 1, but would be allowable if rewritten to overcome the objection.
5. Claim 16 is allowed.

*Response to Arguments*

6. Applicant's arguments filed 6/13/2005 have been fully considered but they are not persuasive.

**Regarding claim 1**, the applicant argued that, "...in contrast to the teaching of Gerszberg, claim 1 recites...The ATM cells are compressed voice data (Specification, page 8, lines 12-18)..." in page 9, paragraph 4.

**In response to applicant's argument** that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., **the ATM cells are compressed voice data**) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**Regarding claim 1**, the applicant argued that, "...in contrast to the teaching of Gerszberg, claim 1 recites...a wide area network access processing unit...a frame processing

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unit comprising a framer/deframer...transmit/receive ATM cells from the central control processing unit...forming and extracting xDSL frames; an encoder/decoder unit for converting the xDSL frame into a signal usable in an external xDSL network, or the signal from the external xDSL network; and physical access unit for performing physical layer access interface..." in page 9, paragraphs 4-5.

**In response to applicant's argument, the examiner respectfully disagrees** with the argument above. As disclosed in previous office action, Gerszberg discloses the network interfaces 110 include an Ethernet interface 119 (wide area network access processing unit I physical access unit) (column 9, lines 63-66). Gerszberg discloses that the processor 102 (frame conversion unit I framer/de-framer) may be configured to reconstruct IPv6 packets from DSL frames (column 18, lines 3234). The processor 102 may also include signal processor 102 A to perform coded functions (encoder / decoder) (column 18, lines 41-44). Data is also outputted to a high-speed backbone network such as ATM (ATM cells) (column 5, lines 59-62). Thus, it is clear that Gerszberg anticipate the applicant claimed limitations.

**Regarding claim 1, the applicant argued that, "...claim 1 recites...convert to/from** ATM cells, without requiring multiple modems...to separately convert data of each specific data physical layer to another specific physical layer of the xDSL format..." in page 10, paragraphs 1.

**In response to applicant's argument** that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., **without requiring multiple modems...to separately convert data of each specific data physical layer to another specific physical layer of the xDSL format**) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification

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are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In view of the above, **the examiner respectfully disagrees** with applicant's argument and believes that the reference as set forth in the 102 rejections is proper.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N. Moore whose telephone number is 571-272-3085. The examiner can normally be reached on 9:00 AM- 6:00 PM.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 571-272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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